

CHANGE OF NAME

Committee on House Oversight of House of Representatives changed to Committee on House Administration of House of Representatives by House Resolution No. 5, One Hundred Sixth Congress, Jan. 6, 1999.

EFFECTIVE DATE OF 1971 AMENDMENT

Section 9(a) of Pub. L. 92-136 provided that: “The amendments made by the first section [amending this section] section 2, and section 5 of this Act [amending section 72a of this title] shall become effective as of noon on January 3, 1971.”

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946.

§ 190e. Repealed. Pub. L. 91-510, title II, § 242(b)(1), Oct. 26, 1970, 84 Stat. 1172

Section, act Aug. 2, 1946, ch. 753, title I, § 138, 60 Stat. 832, related to report of legislative budget by Committee on Ways and Means and Committee on Appropriations of House and Committee on Finance and Committee on Appropriations of Senate, its contents, and concurrent resolution adopting the budget. See Rules of the House of Representatives and Standing Rules of the Senate.

EFFECTIVE DATE OF REPEAL

Repeal effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as an Effective Date of 1970 Amendment note under section 72a of this title.

§ 190f. General appropriation bills

(a) Repealed. Pub. L. 91-510, title I, § 108(d), Oct. 26, 1970, 84 Stat. 1149

(b) Standard appropriation classification schedule

The Committees on Appropriations of the two Houses are authorized and directed, acting jointly, to develop a standard appropriation classification schedule which will clearly define in concise and uniform accounts the subtotals of appropriations asked for by agencies in the executive branch of the Government. That part of the printed hearings containing each such agency's request for appropriations shall be preceded by such a schedule.

(c) Nonconsideration if a provision reappropriates unexpended balances

No general appropriation bill or amendment thereto shall be received or considered in either House if it contains a provision reappropriating unexpended balances of appropriations; except that this provision shall not apply to appropriations in continuation of appropriations for public works on which work has commenced.

(Aug. 2, 1946, ch. 753, title I, § 139(a), (b), (c), 60 Stat. 833; Pub. L. 91-510, title I, § 108(d), Oct. 26, 1970, 84 Stat. 1149.)

PARTIAL REPEAL

Section 2(a), S. Res. 274, Ninety-sixth Congress, Nov. 14, 1979, provided in part that this

section, insofar as it relates to the Senate, is repealed. See Standing Rules of the Senate.

CODIFICATION

Section constitutes subsections (a) to (c) of section 139 of act Aug. 2, 1946. Subsection (d) of section 139, which required the two Houses of Congress to make a study of existing permanent appropriations with a view to limiting the number thereof and to recommending what permanent appropriations should be discontinued, and of the disposition of funds resulting from the sale of Government property or services by all departments and agencies in the executive branch of the Government with a view to recommending a uniform system of control with respect to those funds, was omitted from the Code as being of a temporary character.

AMENDMENTS

1970—Subsec. (a). Pub. L. 91-510 repealed prohibition against consideration of any general appropriation bill in either House unless prior to such consideration printed committee hearings and reports on the bill have been available for at least three calendar days for the Members of the House considering the bill, which was incorporated in section 190a(f) of this title.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-510 effective immediately prior to noon on Jan. 3, 1971, see section 601(1) of Pub. L. 91-510, set out as a note under section 72a of this title.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946.

§ 190g. Nonconsideration of certain private bills and resolutions

No private bill or resolution (including so-called omnibus claims or pension bills), and no amendment to any bill or resolution, authorizing or directing (1) the payment of money for property damages, for personal injuries or death for which suit may be instituted under the Federal Tort Claims Act, or for a pension (other than to carry out a provision of law or treaty stipulation); (2) the construction of a bridge across a navigable stream; or (3) the correction of a military or naval record, shall be received or considered in either the Senate or the House of Representatives.

(Aug. 2, 1946, ch. 753, title I, § 131, 60 Stat. 831.)

PARTIAL REPEAL

Section 2(a), S. Res. 274, Ninety-sixth Congress, Nov. 14, 1979, provided in part that this section, insofar as it relates to the Senate, is repealed. See Standing Rules of the Senate.

REFERENCES IN TEXT

The Federal Tort Claims Act, referred to in text, is classified generally to section 1346(b) and chapter 171 (§ 2671 et seq.) of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section effective Jan. 2, 1947, see section 142 of act Aug. 2, 1946.

§ 190h. Repealed. S. Res. 9, § 2, Nov. 5, 1975

Section, Pub. L. 91-510, title II, § 242(a), Oct. 26, 1970, 84 Stat. 1171, provided that each meeting conducted by Senate Committee on Appropriations be open to the public except when testimony to be taken might relate

to a matter of national security, tend to reflect adversely on character or reputation of witness or other individual, or divulge matters deemed confidential under other provisions of law or regulations.

§§ 190i to 190k. Repealed. S. Res. 274, § 2(b), Nov. 14, 1979

Section 190i, Pub. L. 91-510, title II, § 243, Oct. 26, 1970, 84 Stat. 1173, related to actions and procedures of the Committee on Appropriations of Senate. See Standing Rules of the Senate.

Section 190j, Pub. L. 91-510, title II, § 252(a), Oct. 26, 1970, 84 Stat. 1173; Aug. 1, 1946, ch. 724, § 302(d), as added Aug. 30, 1954, ch. 1073, § 1, as added Sept. 20, 1977, Pub. L. 95-110, § 1, 91 Stat. 884, related to cost estimates in reports of Senate committees accompanying certain legislative measures and to other Senate committee operations. See Standing Rules of the Senate.

Section 190k, Pub. L. 91-510, title II, § 253(a), (b), Oct. 26, 1970, 84 Stat. 1174, related to appropriations on an annual basis for continuing programs and activities and review by Senate and joint committees. See Standing Rules of the Senate.

§ 190l. Private claims pending before Congress; taking of testimony

Any committee of either House of Congress before which any private claim against the United States may at any time be pending, being first thereto authorized by the House appointing them, may order testimony to be taken, and books and papers to be examined, and copies thereof proved, before any standing master in chancery within the judicial district where such testimony or evidence is to be taken. Such master in chancery, upon receiving a copy of the order of such committee, signed by its chairman, setting forth the time and place when and where such examination is to be had, the questions to be investigated, and, so far as may be known to the committee, the names of the witnesses to be examined on the part of the United States, and the general nature of the books, papers, and documents to be proved, if known, shall proceed to give to such private parties reasonable notice of the time and place of such examination, unless such notice shall have been or shall be given by such committee or its chairman, or by the attorney or agent of the United States, or waived by such private party. And such master shall issue subpoenas for such witnesses as may have been named in the order of such committee, and such others as the agent or other representative of the United States hereinafter mentioned shall request. And he shall also issue subpoenas at the request of such private party, or parties, for such witnesses within such judicial district as they may desire: *Provided*, That the United States shall not be liable for the fees of any officer for serving any subpoena for any private party, nor for the fees of any witness on behalf of such party. Said committee may inform the United States attorney for the district where the testimony is to be taken of the time, place, and object of such examination, and request his attendance in behalf of the Government in conducting such examination, in which case it shall be his duty to attend in person, or by an assistant employed by him, to conduct such examination on the part of the United States, or such committee may, at its option, appoint an agent or attorney, or one of

its own members, for that purpose, as they may deem best; and in that event, if the committee shall not be unanimous, the minority of the committee may also appoint such agent or attorney or member of such committee to attend and take part in such examination.

(Feb. 3, 1879, ch. 40, § 1, 20 Stat. 278; Mar. 3, 1911, ch. 231, § 291, 36 Stat. 1167; June 25, 1948, ch. 646, § 1, 62 Stat. 909.)

CODIFICATION

This section and section 190m of this title were an act entitled “An act to provide for taking testimony, to be used before Congress, in cases of private claims against the United States.”

The original text referred to “any standing master in chancery of the circuit of the United States within the judicial district where such testimony or evidence is to be taken.” The words “of the circuit of the United States” were omitted as inappropriate since the abolition of circuit courts by act Mar. 3, 1911.

Section was formerly classified to section 229 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, substituted “United States attorney” for “district attorney of the United States”. See section 541 of Title 28, Judiciary and Judicial Procedure, and Historical and Revision Notes thereunder.

§ 190m. Subpoena for taking testimony; compensation of officers and witnesses; return of depositions

It shall be the duty of the marshal of the United States for the district in which the testimony is to be taken to serve, or cause to be served, all subpoenas issued in behalf of the United States under this section and section 190l of this title, in the same manner as if issued by the district court for his district; and he shall, upon being first paid his fees therefor, serve any subpoenas that may be issued at the instance of such private party or parties. And the said master may, in his discretion, appoint any other person to serve any subpoena. Such master shall have full power to administer oaths to witnesses, and the same power to issue attachments to compel the attendance of witnesses and the production of books, papers, and documents, as the district court of his district would have in a case pending before it; and it shall be his duty to report the conduct of contumacious witnesses before him to the House of Congress appointing such committee. The compensation of such master in chancery, and the fees of marshals and deputy marshals, and of any person appointed to serve papers, shall be the same as for like services in equity cases in the district court of the United States; and the compensation of witnesses shall be the same as for like attendance and travel of witnesses before such district courts; and all such fees and compensation of officers and witnesses on behalf of the United States, and other expenses of all investigations which may be had under the provisions of this section and section 190l of this title on the part of the United States, shall be paid out of the contingent fund of the Senate, in the case of a committee of the Senate, or the applicable ac-